

Lloyd Eugene Brown,)
) C.A. No.: 2:09-00434-RBH
)
 Plaintiff,)
)
)
 vs.) **ORDER**
)
)
 Rex Blocker, M.D., and Louisa Rosario,)
 in their individual capacities,)
)
)
 Defendants)
)

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. See 28 U.S.C. § 636(b)(1).

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After a thorough review of the Report and Recommendation and the record in this case, the court adopts Magistrate Judge Carr's Report and Recommendation and incorporates it herein. It is therefore

ORDERED that the defendants' motion to dismiss the complaint is denied.

IT IS SO ORDERED.

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge

Florence, South Carolina
September 3, 2009